

REMARKS

Applicants would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter, which applicants regard as the invention.

The drawings were objected to for not showing the at least one locking mechanism, as recited in claim 20. Claim 20 has been cancelled herein. Withdrawal of this objection is requested.

Claims 1, 3, 4, 5, 7, 8, and 19-21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Nutter (U.S. Patent No. 4,411,295) in view of Guth (U.S. Patent No. 6,450,515). Traversal of this rejection is made for at least the following reasons. Claims 1-21 have been cancelled herein and claims 22-39 have been newly added. The combination of Nutter and Guth does not teach or suggest each and every limitation present in new claims 22-39. Specifically, independent claims 22 and 31 require a movable rack having a plurality of shelf-like structures, *each shelf being vertically arranged with respect to one another* and each shelf including a plurality of container locations for receiving the multiple containers. In contrast, Nutter discloses a plurality of pallets 26, which are moved to a filling device 12 via a forklift truck or the like. Guth merely discloses clip-on wheels for pallets. As known in the art, pallets are flat, typically wooden, platforms as illustrated in Fig. 1 of Nutter and in Figs. 1, 2, and 9 of Guth. There is nothing within either Nutter or Guth that teaches or suggests a movable rack having a plurality of vertically arranged shelf-like structures. For at least the reasons discussed above, the amendments made herein have rendered the present rejection over Nutter and Guth moot. Withdrawal of this rejection is respectfully requested.

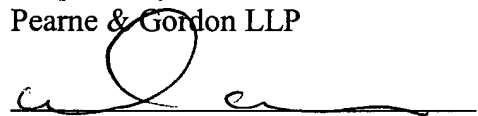
Claims 1-18 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ver Hage (U.S. Patent No. 6,684,915) in view of Nutter (U.S. Patent No. 4,411,295). Traversal of this rejection is made for at least the following reasons. As stated above, claims 1-21 have been cancelled and claims 22-39 have been newly added herein. The combination of Ver Hage and Nutter does not teach or suggest each and every limitation present in new claims 22-39. Specifically, neither Ver Hage nor Nutter, individually or

in combination, teach or suggest a movable rack having a plurality of shelf-like structures, *each shelf being vertically arranged with respect to one another* and each shelf including a plurality of container locations for receiving the multiple containers, as required by independent claims 22 and 31, or a method for moving a filling multiple storage containers of different types wherein a step of placing a first group of multiple containers onto a first holding device includes placing the containers on *a rack structure having vertically arranged shelf-like structures* of the first holding device, and a step of placing a second group of multiple containers onto a second holding device includes placing the containers on a *pallet structure* of the second holding device, as required by independent claims 35 and 38, respectively. Both Nutter and Ver Hage disclose pallet structures for holding containers. There is nothing within either of the cited references that teaches or suggests a movable rack having a plurality of vertically arranged shelf-like structures. Further, there is nothing within either of the references that discloses a filling station that is adapted to fill containers on both a pallet structure and a rack structure with vertically arranged shelf-like structures. For at least the reasons discussed above, the amendments made herein have rendered the present rejection over Ver Hage and Nutter moot. Withdrawal of this rejection is respectfully requested.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any further fees required by this communication, please charge such fees to our Deposit Account No. 16-0820, Order No. 35468US1.

Respectfully submitted,
Pearne & Gordon LLP



Una L. Lauricia, Reg. No. 48998

1801 East 9th Street
Suite 1200
Cleveland, Ohio 44114-3108
September 7, 2005